

Remarks/Arguments

Claims

Prior to this reply and amendment, claims 1-48 were pending in this application. Claims 28-43 and 48 have been cancelled. Claims 1, 4, 11, 14, 44, 46, and 47 have been amended. Support for these amendments can be found throughout the specification as filed, and specifically at page 24, line 20 and on. After entry of these amendments, claims 1-27 and 44-47 will be pending.

Response to Detailed Action

Claim Rejections – 35 U.S.C. § 112 – first paragraph

Regarding paragraphs 1 and 2 of the detailed action, claims 1-48 stand rejected under 35 U.S.C. § 112 first paragraph as not enabled.

The Office Action argues that agents dispersed in “solid polymers . . . may not have required mobility for altering amount of visible light on application of electric field” (Office Action, page 2). While Applicant agrees with the Examiner that agents that require mobility to cause an “alteration in the amount of visible light” may not be mobile in various solid polymers, Applicant respectfully points out that 1) the specification teaches embodiments in which no agent mobility is required, and 2) an agent requiring mobility to function to cause “alteration in the amount of visible light” that is disposed in a solid polymer in which it is not mobile in the “plurality of domains” will not alter the amount of visible light, and hence is not within the scope of claim 1.

With regard to point 1), above, Applicant directs the Examiner’s attention to page 14, line 14 of the specification. That paragraph describes bridging and tethering agents that are capable of altering the transmission of visible light through conformation change without agent mobility. A reference document is cited.

With regard to point 2), above, Applicant notes that the recited hypothetical having the following characteristics would not fall within the scope of the claims:

**** an agent requiring mobility through the domain in order to alter the amount of visible light that can be transmitted through the sheet; and,**

**** the placing of that agent in a solid polymer in the domain that prevents mobility of that agent.**

This combination would not fall within the scope of claim 1 because application of an electric field to the polymer sheet would not result in that agent causing an alteration in the amount of visible light, as required by claim 1. The same reasoning applies equally to claims 11, 28, 44, 46, 47, and 48, and, by extension, to all of the dependent claims.

For these reasons, Applicant requests withdrawal of the 35 U.S.C. § 112, first paragraph rejections.

Claim Rejections – 35 U.S.C. § 112 – second paragraph

Regarding paragraphs 3 and 4 of the detailed action, claims 4, 11-26, 28-42, and 44-46 stand rejected under 35 U.S.C. § 112 second paragraph as indefinite.

In view of the amendments provided herein, these rejections are moot. Withdrawal of the rejections is, accordingly, requested.

Claim Rejections – 35 U.S.C. § 102(e)

Regarding paragraphs 5 and 7 of the detailed action, claims 1-7, 11-18, 21-24, 28-40, and 44-48 stand rejected under 35 U.S.C. § 102 (e) as anticipated by Kawai, U.S. Patent Application 2003/0086149.

In view of the amendments provided herein, these rejections are moot. Withdrawal of the rejections is, accordingly, requested.

Claim Rejections – 35 U.S.C. § 103(a)

Regarding paragraphs 5 and 7 of the detailed action, claims 1-8, 11-18, 21-24, and 44-48 stand rejected under 35 U.S.C. § 103 (a) as obvious over Kawai in view of Duthaler (WO 03/050507).

In view of the amendments provided herein, these rejections are moot. Withdrawal of the rejections is, accordingly, requested.

Allowable Subject Matter


With regard to paragraph 9 of the detailed action, Applicant thanks the Examiner for the indication of allowable subject matter.

Conclusion

In view of the arguments and amendments presented herein, Applicant believes that all of the pending claims are in condition for allowance and respectfully request that the Examiner withdraw all outstanding rejections and pass this application to issue. The Examiner is encouraged to contact the undersigned at the phone number provided if he believes that such contact will expedite allowance of the claims.

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Very Truly Yours



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